

Message Text

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ORIGIN EUR-12

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DRAFTED BY EUR/SE:HDCOLLUMS:CSR
APPROVED BY C:MNIMETZ
EUR/SE:RCEWING
EUR:RDVINE
L/CA:RDALTON

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P R 180012Z JUL 78
FM SECSTATE WASHDC
TO AMEMBASSY ANKARA PRIORITY
INFO AMCONSUL ADANA

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E.O. 11652: N/A

TAGS: CASC, TU

SUBJECT: PRISONER TRANSFER TREATY

1. DURING JULY 17 MEETING WITH TURKISH AMBASSADOR ESENBEL (SEPTELS) DEPT COUNSELOR NIMETZ GAVE HIM DRAFT TEXT OF PRISONER TRANSFER TREATY. NIMETZ SAID DEPT WAS PREPARED, IF NECESSARY, TO SEND A TEAM TO ANKARA WITH INSTRUCTIONS TO CONCLUDE THE NEGOTIATIONS AS EXPEDITIOUSLY AS POSSIBLE. ESENBEL ACCEPTED DRAFT TEXT AND PROMISED TO CONVEY IT TO TURKISH AUTHORITIES IN ANKARA.

2. DEPT IS SENDING EMBASSY VIA SEPTTEL TEXT OF DRAFT TREATY. CHARGE SHOULD CALL ON MFA AT APPROPRIATELY HIGH LEVEL TO DELIVER TEXT AND MAKE FOLLOWING POINTS:

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-- THE U.S. IS PREPARED TO PROCEED WITH NEGOTIATIONS PROMPTLY ON A PRISONER TRANSFER TREATY AND HOPES THEY CAN COMMENCE AS SOON AS POSSIBLE. FOR THIS PURPOSE, DEPT IS PREPARED TO SEND A TEAM TO ANKARA, AT A MUTUALLY ACCEPTABLE DATE.

-PT'S DRAFT IS BASED UPON THE EUROPEAN CONVENTION ON THE INTERNATIONAL VALIDITY OF CRIMINAL JUDGMENTS, INCORPORATING AS MUCH AS POSSIBLE OF THE LANGUAGE OF THE CONVENTION. WE HAVE MADE ONLY THOSE MODIFICATIONS NECESSARY TO

MEET US CONSTITUTIONAL AND LEGAL REQUIREMENTS, AND TO REFLECT FACT THIS IS BILATERAL RATHER THAN MULTILATERAL TREATY.

3. ESENBEL TOLD DEPTOFF THAT IT MAY BE HELPFUL FOR EMBASSY TO PRESENT MFA WITH TURKISH TRANSLATION OF DRAFT TREATY. WHILE WE ARE PREPARED, IF NECESSARY, TO ENGAGE TURKISH LANGUAGE CONTRACTOR IN WASHINGTON TO DO TRANSLATION, IT OCCURS TO US THAT EMBASSY IS PROBABLY IN BETTER POSITION TO HAVE TRANSLATION PREPARED BY SOMEONE MORE FAMILIAR WITH COMPLEXITIES OF TURKISH LAW AND LEGAL JARGON. ACCORDINGLY, WE SUGGEST THAT EMBASSY OFFER TO PREPARE TURKISH TRANSLATION OF DRAFT IF MFA BELIEVE THIS WOULD BE HELPFUL. CHRISTOPHER

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